

1 **REMARKS**

2 In the Office Action dated April 15, 2004, the Examiner rejected Claims 21-40 under 35
3 U.S.C. §§ 112 and/or 103. Applicant has carefully considered the positions of the Examiner, and
4 respectfully requests reconsideration based upon the following remarks as to the original
5 specification's compliance with the written description requirement as well as the manifest
6 differences between the claimed invention and the cited references.

7 Initially, applicant respectfully disagrees with the Examiner's § 112 rejection of Claims
8 21-40 as failing to comply with the written description requirement. In particular, applicant
9 submits that the Examiner's opinion that "[t]he claimed limitation of providing means for said
10 debtor to access said transaction community without system enrollment on an account specific
11 basis by said creditor or by said debtor cannot be found in the original specification, claims or
12 drawings" is misplaced. Indeed, applicant directs the Examiner's attention to p. 1, lns. 15-24; p.
13 32, ln. 8 through p. 33, ln. 3; p. 33, lns. 5-8; p. 35, ln. 20 through p. 36, ln. 1; p. 65 ln. 20 through
14 p. 66 ln. 9; p. 66, lns. 11-14; and Figures 16, 17, and 22 in applicant's originally filed
15 specification, which clearly demonstrate that the original specification does in fact reasonably
16 convey to one of skill in the art that the applicant had possession of the invention as claimed,
17 including the above-referenced limitation, at the time the application was filed.

18 In particular, at p. 1, lns. 15-24, applicant describes how "[i]n a typical debt resolution
19 application of the disclosed system, the credit or collection company customer (the debtor) can
20 participate in web-based financial transactions without previously establishing a personal online
21 banking system." This aspect of the invention is also taught in Figure 22, which is a letter
22 providing a debtor with all the control information needed to make a payment without enrollment

1 or setup of an on-line account. This letter includes information that enables the debtor to access
2 a pooled authentication system and method, which is described at p. 65, line 20 through p. 66,
3 line 1-9. This pooled authentication is further described at p. 32, ln. 8 through p. 33, ln. 3 where
4 the creditor or collection group would choose the appropriate pool to which a group of
5 consumers will be directed. Notably, such pooled authentication enables a debtor to access the
6 transaction community without the need for system enrollment on an account specific basis by
7 either the debtor or the creditor. Specifically, a pool of debtors are simply directed to access a
8 "transaction community" without the need for a creditor and/or debtor to establish a specific
9 account for any of the individual debtors comprising this pool.

10 Indeed, the original application discloses at p. 33, lns. 5-8 that the "database records for
11 the 'transaction community' are synchronized with those of the corresponding debt collection
12 agency and exchanged at regular intervals." Then, as described at p. 35, ln. 20 through p. 36, ln.
13 1, the claimed system generates a password that is supplied to the debtor with a bill or other
14 notice. With these features, there is clearly no need to establish specific accounts; all
15 information needed by the system can be retrieved from the synchronized database, and the
16 debtor can access the system using the system generated password.

17 From these referenced passages in the applicant's original specification, it is readily
18 apparent that applicant had possession of the claimed system including the limitation requiring
19 "providing means for said debtor to access said transaction community upon input of said
20 authorization code without system enrollment on an account specific basis by said creditor or by
21 said debtor." Applicant therefore respectfully requests that this rejection be reconsidered and
22 withdrawn.

1 Turning next to Examiner's rejection of Claims 21-40 as being unpatentable over Lamm
2 in view of Remington *et al.*, and/or in further view of Bednar *et al.*, Hilt *et al.* or Ziarno *et al.*,
3 applicant respectfully submits that the Examiner's rejections are misplaced in view of his
4 misplaced assumption that the claims are "claiming that the biller enrolls the debtor." Nothing in
5 the claim language suggests that this is being claimed. Also, as discussed above, the claim
6 limitation "providing means for said debtor to access said transaction community upon input of
7 said authorization code without system enrollment on an account specific basis by said creditor
8 or by said debtor" was sufficiently described in the original application. Therefore, there is no
9 basis for the Examiner's assumption and the claims should not be read as "claiming that the biller
10 enrolls the debtor." This is not the case.

11 Furthermore, as previously argued, and admitted by the Examiner, the system according
12 to Lamm requires the debtor to enroll in the system by downloading a set-up program,
13 downloading a software program and enrolling with the billing party, and the system according
14 to Remington requires the creditor (or biller) to undertake the burdensome account specific setup
15 and enrollment process. Thus, nowhere do Lamm or Remington teach or suggest a system or
16 method for presenting and resolving a debt where the debtor's/creditor's burden of individual
17 account specific set-up, registration and enrollment are eliminated -- i.e., like the present
18 invention. Similarly, none of Bednar, Hilt and Ziarno disclose a bill presentment and resolution
19 system that does not require enrollment by at least one of the debtor and creditor.

20 Therefore, as is evidenced by the above remarks, the present invention discloses a system
21 and method for debt presentment and resolution that relieves the debtors and creditors of the
22 burdens of enrollment, registration, and/or account set-up by providing an authorization code and

1 an Internet address URL to the debtor and creditor to use to access a "transaction community" for
2 presentment and resolution of a debt. A system and method such as this is fully described in the
3 original application and is neither taught nor suggested anywhere in the cited references.
4 Applicant therefore submits that the Examiner's rejections of Claims 21-40 have been traversed,
5 and should be reconsidered and withdrawn.

6 In view of the foregoing, applicant respectfully submits that the present invention
7 represents a patentable contribution to the art and the application is in condition for allowance.
8 Early and favorable action is accordingly solicited. Further, the applicant reiterates his
9 willingness to participate in a telephonic interview to discuss the arguments presented herein as
10 well as the overall patentability of the pending claims over the cited references. Consequently,
11 should the Examiner wish to discuss any issues concerning this application, please feel free to
12 contact the undersigned attorney at the number indicated below.

Respectfully submitted,



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